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Before the FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554

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In re)	or-
Amendment of Section 73.202 (b) Table of Allotments) RM-	FCO SEP 12 1991
FM Broadcast Stations (DeRuyter and Chittenango, NY)))	NAL ROC

To: The Chief, Allocations Branch

PETITION FOR RULEMAKING

CRAM COMMUNICATIONS, LLC ("petitioner"), by its counsel, pursuant to Section 1.401 of the Rules and Regulations of the Federal Communications

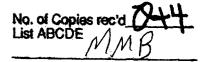
Commission, respectfully requests the Commission to institute a rulemaking proceeding to amend the FM Table of Allotments as follows:

Channel No.

City	<u>Present</u>	Proposed		
DeRuyter, NY	286B			
Chittenango, NY		286B		

Proposal of the Petitioner

- The petitioner is the licensee of FM broadcast station WVOA, DeRuyter, NY.
 It desires to change its community of license to Chittenango. Thus, the instant petition for rulemaking.
- Attached hereto as Exhibit 1 is a contour map depicting the WVOA city-grade
 (70 dBu) contour. As indicated, Chittenango is located within the existing city-grade



contour of WVOA. No change in technical facilities is proposed in this rule-making. Therefore, there will be no loss or gain in service. No allocation study is required since no change in facilities is proposed. The sole issue before the Commission is whether the reallotment of the channel from DeRuyter to Chittenango would result in a preferential arrangement of allotments consistent with the *Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88 (1992).

- 3. Chittenango is located in upstate New York approximately 30 km north of DeRuyter, the existing community of license. Section 1.420(i) of the Commission's Rules provides:
 - (i) In the course of the rulemaking proceeding to amend §73.202(b) or §73.606(b), the Commission may modify the license or permit of an FM or television broadcast station to specify a new community of license where the amended allotment would be mutually exclusive with the licensee's or permittee's present assignment.

Since Chittenango is within the city-grade contour of WVOA, Section 1.420(i) applies, and the WVOA license may be modified in accordance with this rule without the opportunity for any other applicant to apply.

4. The petitioner is a duly organized limited liability company comprised solely of United States citizens. If the requested petition is acted upon favorably, and assigned to Chittenango, petitioner will apply for the authorization to move WVOA to Chittenango.

Comparison of Communities

5. Chittenango is a community listed in the 1990 Census with a population of 4,734. It is the hub of the Town of Sullivan whose population is 14,622. In contrast the village of DeRuyter has a population of only 568. Over the twenty year period from 1970 through 1990, Chittenango's population went from 3,605 to 4,734 – a 31.3% increase. In

contrast DeRuyter's population dropped from 643 to 568 – a 14.5% decrease. Attached hereto as Exhibit 2 is a compilation of demographic data respecting the communities.

This data illustrates the fact that Chittenango is a far more substantial community than DeRuyter with a far greater population and services.

6. There are no commercial broadcast facilities licensed to Chittenango. The reallotment proposed herein would provide a first local aural transmission service to the substantially larger community of Chittenango. Accordingly, the proposed rulemaking would be in accord with the Commission's proposal in *Chatom and Grove Hill, Alabama*, DA 97-342, released February 21, 1997. Further, Chittenango is not in an urbanized area, and the station will continue to provide coverage to DeRuyter, factors which further demonstrate that the proposed move is in accord with Commission precedent.

Georgetown and Garden City, South Carolina, Report and Order, released September 5, 1997, DA-97-1887, at para. 4.

WHEREFORE THE PREMISES CONSIDERED, it is respectfully requested that the Commission initiate a rulemaking proceeding as proposed hereinabove.

Respectfully submitted,

Law Offices
JAMES L. OYSTER
108 Oyster Lane
Castleton, Virginia 22716-9720
(540) 937-4800
September 12, 1997

James I. Ovster

CRAM-EQMMUNICATIONS, LLC

/Counsel

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Counsel

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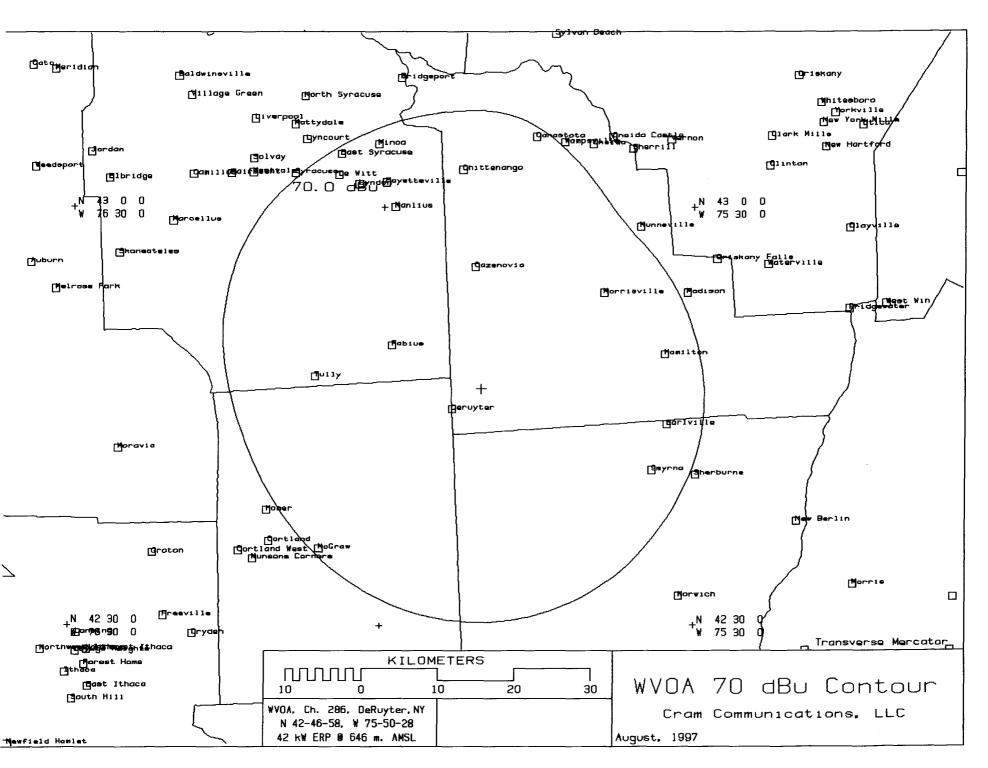


Exhibit 2

Demographic Data

Village of DeRuyter

Population of the Village of DeRuyter is 550 and the Town of DeRuyter is 1,400. It is a supportive Village for the surrounding Farming Community but has not seen any recent growth.

Although there is a grocery store, convenience and general store, bank branch office and a couple of small restaurants - most will travel to Cortland or Syracuse for major purchases.

The DeRuyter Central School systems is the major employer and has a student population of 400. They have recently completed a 4.9 million dollar renovation project. The major improvement is the addition of a second floor wing of classrooms, Library/Media center and expanding the cafeteria.

The other major employers are Agway which supplies the farming community which has approximately 15 employees and DeRuyter textile has 12 employees.

Due to its location in a remote area of Route 13 between Cortland and Cazenovia there seems little prospect for growth in a sparsely populated area. Because Route 81 is at Cortland and Route 20 at Cazenovia is siphons off traffic that once used that section of Route 13.

A bustling community at the intersections of Route 5 + 13. It is located 15 miles from Syracuse - 13 miles from Cazenovia and 8 miles from Manlius/Fayetteville. It also has good access to the New York State Thruway of approximately 12 miles in either Exit 34 West or 34A East and 12 miles to Route 481 and 81.

The Village population is 4,734 and is the hub of the Town of Sullivan whose population is 14,622. The new modern Town of Sullivan offices and Park and Recreational Department are located in North Chittenango a short distance from the Village limits. Population is from the 1990 census and there has been an approximate 10% increase in the Village.

The Village of Chittenango is a busy growing community with new homes, sub-divisions, condominiums in organized zoned areas. New banks, stores, major restaurants chains are complimented by established community businesses, law and medical offices.

While Chittenango is considered partly a bedroom community for Syracuse and Utica it is much more than that. It has its own major industry which is Gray-Syracuse with its modern plant and offices headquartered in Chittenango. Gray-Syracuse manufactures Investement Castings. It is a 58,000 square foot plant that has 422 employees.

The Chittenango Central School with a student population of 2,800 is considered among the best. They are in the process of a 15 million dollar renovation project that includes state of the art laboratories.

Among its residents Chittenango has many professionals such as Lawyers, Doctors, Business Executives and University Professors. They are drawn to Chittenango by its school system, parks and recreational system and living in a country atmosphere while having close access to Syracuse and Utica's facilities.

Additional Information on Chittenango

OZ FEST

Chittenango is the birthplace of L. Frank Baum the author of the Wizard of Oz books. When entering the business section on Genesee Street you notice yellow brick sidewalks on both sides of the street symbolizing the Yellow Brick road in the 1939 Wizard of Oz movie which starred Judy Garland.

There is a restaurant named "Aunt Ems" and the "Oz Cream" ice cream parlor and gift shops that advertise oz souvenirs.

The Oz Fest is a major event yearly in Chittenango and draws an average of 25,000 for weekend festivities. A major attraction are the Munchkins from the original 1939 movie. One of the Oz Fest directors Colleen Zimmer who also works with the Oz Foundation says "We are the only festival to bring them all in".

Friday night there is a spaghetti dinner with the Munchkins that is open to the public. Followed by an autograph session and a program put on by the Munchkins on what it was like to be in the movie. This is followed by another free program of old seldom seen movies.

On Saturday there is costume judging where hundreds of young people are judged in various costumes from characters in the movie - Dorothy - the Tin Man - the Wizard etc.... They then are in the first unit of the parade which follows.

The parade itself is 100 units and of course has the Munchkins as a main attraction. The 1996 parade Grand Marshall was an 88 year old niece of Baum's who still lives in Chittenango. For 1998 the parade will be the first weekend in June to take advantage of warmer weather.

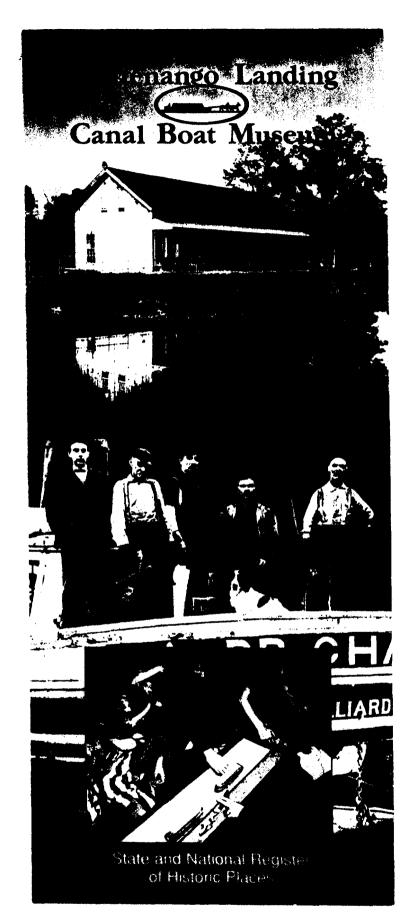
The Oz Festival is a large tourist attraction and brings many people to Central New York for the first time.

PARKS AND RECREATIONAL FACILITIES

The Town of Sullivan Parks and Recreation Department is located in N. Chittenango with a modern spacious building.

The Sullivan Community Parks - Lake Street, Chittenango is a full service park open year round. The Park has 3 public tennis courts with recreational leagues and swimming as well as 2 ball fields and 2 soccer fields. There are instructors for tennis, swimming, youth activities. Fishing is allowed in the park pond April through September. The Chittenango Landing Canal Boat Museum is a unique display of what life was like on the old Erie Canal. This is a main attraction for tourists and local residents with picnic area and facilities.

Chittenango Falls State Park. Both tourists and area residents enjoy the spectular beauty of Chttenango Falls. If your camping out or just comeing for a picnic you can't



Reflections of Life On The Erie Canal

Touch the massive gate timbers, handle canal boat construction tools and walk the towpath to a 150 year old aqueduct at ...

Chittenango Landing Canal Boat Museum

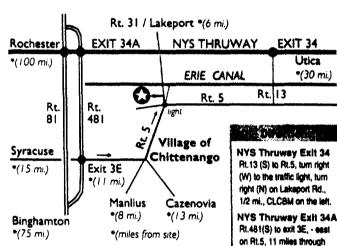


EXIT 34

Utica

*(30 mi.)

7010 Lakeport Road Chittenango, NY 13037



Learn about the life and times of the canal boat builder:

- · Excavated three-bay drydock where canal boats were built
- · Reconstructed miter & drop gates
- · Erie Canal towpath & aqueduct
- · Excavated canal boat remains
- · Archaeology programs · by appt.
- · School & adult groups · by appt.
- · Hands-on activities & exhibits
- · Reconstructed sawmill, woodworking & blacksmith shops
- · Self-guided walking tours
- · Interpretive center & library
- · Picnic area & parking
- · Handicap facilities

or by appointment (315) 687-3801

Sponsored by



101 Falls Blvd. • ATM available 24 hrs., 7 days a week.

1/2 mi. on Lakeport Rd., CLCBM on the left.

From Syracuse

Rt.5 (E) to the village of

Chittenango. At the traffic light, cross & bear left. (N)

Hear

April - June (Sat. & Sun.) 1 - 4 pm July - Aug. (Every Day) 10 am - 4 pm Sept. - Oct. (Sat. & Sun.) 1 - 4 pm -t-pm

the village of Chittenengo to traffic light. Cross & bear left

(N) 1/2 mi. on Lakeport Rd., CLCSM site on the left.

E Xamenan

. \$2.00 Child (12 & under) - SEBO · 55## 740 Family (max)

Programs (per) - \$3.00



9:00 AM to 1:00 PM Village Parking Lot

June 28 - Sept. 13

For Information Call: 687-7801

	State	1	Sex		Race				-			
	County County Subdivision Place	All persons	Male	Female	While	Black	American Indian, Eskimo, ar Aleut	Asian or Pacific Islander	Other race	Hispanic origin (of any roce)	White	81
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	Mendon fown	2 340	1 109	1 231	2 315	3	8 18	10 123	51	211	16 259	
	Ogden town	16 912	8 330 1 721	8 582 1 885	16 414 3 571	263 9	6	18	2	33	3 540	
	Spencerport village	3 606 13 873	6 912	6 961	13 651	117	37	55	13	94	13 570 5 074	1
	Parms town	5 216	2 571	2 645	5 115	53 537	13 26	29 794	75	253	28 615	İ
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	Fairport village	24 497	11 729	12 768	23 160	436	15	850	30	13	1 448	1

A guide to this community we call home

Whether you have lived here forever or are new to the area, The Chittenango-Bridgeport Times welcomes you!

We're taking this opportunity to introduce ourselves while providing a wealth of information that you will want to keep at your fingertips during the coming year.

As your community newspaper, the Chittenango-Bridgeport Times is offering this directory to answer questions we hear all the time about governmental agencies, organizations and services available.

We may have missed someone you know about. If so, please call Pete Anderson, editor, at 687-3887. This directory is published each fall and is updated at that time.

This is just one area where the Chittenango-Bridgeport Times serves this community. To learn more about the newspaper, to place a story or to begin a subscription, call 687-3887.

If you are interested in placing an advetrtisement, call Becky Cooper at 687-3887.

The Chittenango-Bridgeport Times brings the news of your hometown to you each week. Whether you are interested in local government, events in the area, local sports or a wealth of other information, the Chittenango-Bridgeport Times is sure to be the place for you to look!

The town of Sullivan, located in the heart of New York State, is filled with recreational facilities, business enterprises, religious centers, historical museums and civic and cultural opportunities. The community is comprised of rich agricultural lands, business centers and plenty of parks and other areas for the many residents to gather.

The Chittenango-Bridgeport Times covers the village of Chittenango and the Madison County side of the hamlet of Bridgeport.

The coverage area also includes Chittenango Station and Lakeport, as well as news of Kirkville, Perryville, Cazenovia, Manlius and Canastota.

Residents are encouraged to participate in community activities, both to enhance the benefits of the area, and to enrich their own lives.

If You Haven't Visited Us Lately,

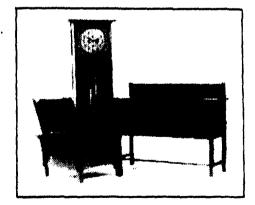
Here's What You're Missing!

The Finest Furniture

Stickley and much, much more. We carry a wide selection of the finest home and office furnishings made in America, including our legendary Mission Oak and Mission Cherry Collections. Our Manlius showroom gives you the opportunity to see and try before you buy.

Exceptional Value

All of our furniture is carried at substantial discount off suggested retail. Because of our great buying power (six stores in New York State), you may purchase with confidence of receiving the best prices anywhere.





Free Delivery

We offer not only free delivery within 50 miles of our showroom, but excellent customer service and special handling as well. And, of course...

Complimentary Interior Design Service

We believe that decorating your home or office should reflect your personality and lifestyle. Our talented and experienced designers will make it so.

Come visit us today You'll be glad you did!

1 Stickley Drive, Manlius • (315) 682-5441 Mon., Wed., Fri., Sat. 9:30-5 • Tues., Thurs. 9:30-8:30 Sun. 1-5 Free Delivery within 50 Miles Visa, MasterCard & Stickley Charge • Complimentary Interior Design Service

Chittenango Central School District

Superintendent: Daniel J. Porter, 687-2669

Business office: Business Manager **Dale Thomas 687-2647**

Board of Education members: Frank Park, president; David Hatch, vice president; Michele Henry, Richard Carroll, Michael Bocketti, Douglas Brown, Tim Myers, Geoff Zimmer, and Hannah Rudstam

Schools:

Bridgeport Elementary, K-5: Donna Crouse, principal; 633-9611

Lake Street Elementary, K-2: Ralph Gordon, principal; 687-2660

Bolivar Road Elementary, 3-5: Cynthia Helmer, principal; 687-2684

Chittenango Middle School, 6-8: Linda Frey, principal; 687-2648

Chittenango High School, 9-12: Michael Sandore, principal, 687-2621

School board of education meetings: Generally held the first and third Tuesday of the month at 7:30 p.m. The first meeting is typically a special meeting and rotates at the five schools, the second meeting is a regular meeting in the district office on Fyler Road.

Election information: Bus purchase vote in early December, budget vote and board of education members generally elected the first week in May.

Daycare

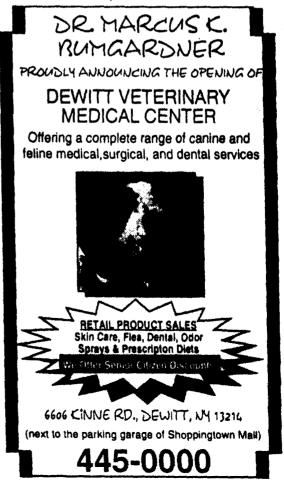
Chittenango Child Care Center: Provides school aged programs at Lake Street. Bolivar Road and Bridgeport schools. This

includes before and after school programs, as well as half-day care for kindergartners. For more information, call Sharon Schantz. director, 687-6038.

Day care program for ages two to five is available at the Tuscarora Road site. For more information, call Kathy Pitoniak, director, 687-6038.

Wee Bears Pre-School: Held at Chittenango United Methodist Church, 205 Falls Blvd. Morning and afternoon sessions September to May for ages three to five. For more information. 687-5714.

Chittenango Christian Pre-School: Held at Chittenango First Presbyterian Church, corner of North and Arch strreets. in cooperation with St. Patrick's Church. For more information, 687-7355.



1997

Town of Sullivan Parks and Recreation

7507 Lakeport Rd., Chittenango; 687-3471 Open weekdays 9 a.m. to 4:30 p.m.

A variety of programs are offered throughout the year. Registration takes place at the office, at special registration nights, and through the mail. Call the office for specific programming information.

Sullivan Community Park: Lake Street, Chittenango, open from 9 a.m. to dusk year-round; restrooms are available; fishing is allowed in park pond April 17 to Sept. 30.

Chapman Park: Route 31 between Bridgeport and Lakeport, open from 9 a.m. to 8 p.m. May 21 to Oct 2. The park reopens for ice fishing in the winter.

Park Security: Sullivan Park is patrolled by the Village of Chittenango Police Department and has a caretaker on premises. Chapman Park is patrolled by the New York State Police and Madison County Sheriff's Department. The town facilities are also monitored daily by park personnel. Telephone, for emergency use only, are available in both parks.

Tennis Courts: Each park has three public tennis courts open during park hours. Recreational leagues and lessons may limit the use of courts at certain times.

Ball Fields: Sullivan Park has a softball field. Chapman Park has a softball field, two baseball fields and two soccer fields. League games have priority on all fields.

The Town of Sullivan Parks and Recreation Department and the Sullivan Community Council ;promote and provide recreational opportunities for youth through

seniors. They welcome comments and suggestions on new or existing programs.

Village Parks

Open dawn to dusk

Kirschenheiter Park, Hawthorne Way and Webber Drive Stickles Park, Routes 5 and 13 Stookes Park, Oneida Street Lower Park, Genesee Street

SKEELE AGENCY, INC

Atwell Mill, Cazenovia, NY 655-2878

INSURANCE rates and PERSONAL serviceworth tracking down

HOME

AUTO

RECREATIONAL

COMMERICAL

Churches

South Bay Rd. north of Thompson Rd.; Ken Salisbury, pastor; Phone: 633-9702;

Kirkville United Methodist Church, 8317 POOLSDTOOK Rd., Rev. Herbert F. Hoskins, pastor; Phone: 656-8637

Bridgeport United Methodist

Church, Bridgeport, Rev. Christopher Kinnel, pastor; Phone: 633-9745

Chittenango Free Methodist Church, Rev. William Glaser, pastor

Community Covenant Church, 107 Pleasant St., Manlius

Community Wesleyan Church, Kirkville Rd. North; Dr. Kelvin J.S. Jones, pastor; Phone: 656-2723

Eastern Hills Bible Church, 4600 Enders Road, Manlius, Douglas Bullock, pastor

First Baptist Church, 520 Tuscarora Rd.; Rev. Stephen Baroody, pastor; Phone: 687-6092

First Presbyterian Church, 118 Arch St., Chittenango; Dr. Dennis J. Doerr, pastor; Phone: 687-7355

Fyler Community Church, Fyler Rd., Delores Cottet, pastor

New Testament Baptist Church,

Meets at Manlius Pebble Hill School, Jamesville Rd., DeWitt; Kevin Cassidy, pastor; Phone: 446-5450

Oneida Lake Congregational Church, Rt. 31, East of Lakeport; Rev. Clinton Carter, pastor; Phone: 363-7925

St. Francis of Assisi Church, Rt. 298, Bridgeport; Rev. Theodore Lash, pastor; Phone: 633-2561

St. Patrick's Church, RD 1 Murray Drive; Chittenango; Rev. Timothy S. Elmer, pastor; Phone: 687-6105

St. Paul's Episcopal Church, 204 Genesee St., Chittenango, Rev. Joan A. Shelton, Vicar

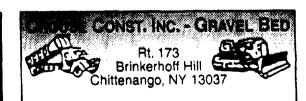
Skyridge Fellowship Church, Meets at Skyridge Family Center, Salt Springs Rd., Chittenango; Phone: 687-5425

The United Methodist Church of Chittenango, 205 Falls Blvd.; Rev. Jane Faber, pastor; Phone: 687-3116

McGOWAN*S HARDWARE

991 E. Genesee Street Chittenango, NY 13037 687-6168





Trucking - Gravel - Stone - Sand - Topsoil

Raised Bed Septic systems installed
N.Y.S. approved materials for filter bed & sub-base
Site work - excavating and grading - cellars

1997

Directory/

Community Organizations

Civic organizations are listed with the name of president and/or a key contact person within the group.

Boy Scouts: For information on the nearest Scout Troop call 1-800-962-9363 or 1-800-578-4873

Bridgeport Lions Club: Tyrone "Corky" McComble, 633-2301

Bridgeport Civic Organization: Co-chairmen -- David Hard, 633-9624 and Dan Damon, 633-8470

Chittenango Athletic Booster Club: Rosemary Czerniak, president, 687-9624

Chittenango Dollars for Scholars: Alan Laube, president, 687-6931; Mary Lou Penner, treasurer, 687-66(14; PO Box 303, Chittenango

Chittenango Foundation: Curtis Tobin, president, 687-9053 or Ray Mann, work 687-7222, home 687-9611

Chittenango Garden Club: Suibban Bongiovanni, president, 687-9091

Chittenango Landing Canal Boat Museum: 687-3801 -- president Doug Rainbow; vice president, Joan DiChristina.

Chittenango Lions Club: Jim English, 687-0740

Chittenango Music Booster Club: Raymond Houck, 687-9735 and Robert Murray. co-presidents, 687-9642

Chittenango Rotary Club: Michael 'Mickey" Keville, president, 687-9362; Ed Mann, secretary, 687-6500

CNY Girl Scout Council, 437-6531

Emerald City Detatchment of the Marine Corps League: Shawn Shanahan, 655-9156 or Don Shanahan, 655-3001

See 4-H/Youth Development Program of the Cornell Cooperative Extension of Madison County: For information on nearest chapter call 684-3001 or 655-2075

Hope for Bereaved, 475-HOPE or 475-9675

Leisure Time Club: Bea Hebert, president, 687-6655

National Society Children of the American. 446-3519

St. Patrick's Knights of Columbus #10924: Paul Cotter, Grand Knight, 655-8981: John Murray, Past Grand Knight, 687-6180

SNACK, Senior Nutrition and Country Kitchen: Meets at the Town of Sullivan Parks and Recreation Department, 75()7 Lakeport Rd... Monday and Friday, 11:30 a.m. and Tuesday, 11:45 a.m. For more information, call Robin Stiles, 687-3471 or Dolores Counterman, 633-9659

Sullivan Food Cupboard: 216 Genesee St. 687-3290; open Mondays, Tuesdays, Thursdays and Saturdays from 10 a.m. to 1 p.m.; Barbara Schwitter, president, 687-9068

Sullivan Masonic Lodge # 148: John White, Master, 656-9458 or James Isabella, secretary, 687-9227

Sullivan Pop Warner Football Association for players and cheerleaders: Steve Devendorf, 687-5165; Bob Hayes, 687-9111

Town of Sullivan United Community Chest: Richard Sullivan 687-9228.

William H. Cain American Legion Post 1287: Grace Northing, house chairman, 687-6402; Ben Barrett, commander, 687-53(X)

Bridgeport Memorial Post 8440, VFW: Gordon Lee, commander; Stan Lee, quartermaster, 633-2422.

Libraries

The Town of Sullivan Free Library: The library has branches on McDonnell Street in Chittenango and North Road in Bridgeport. Nina Hanson is librarian. There are 31,000 holdings and a circulation of 75,000 items per year.

Chittenango-Bridgeport

Both libraries are part of the Mid-York Library System. Both are fully automated.

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RICHARD A. FRIO O.D. DONALD J. TAYLOR O.D. 303 GENESEE STREET CHITTENANGO, N.Y. 13037

(315) 687-9252

Both libraries offer books on tape, videos for those who join the club (for a small fee), children's programs, craft programs for children, and tax forms. The Bridgeport Library has an Apple computer and both libraries plan to add computers as funds become available. Bridgeport also has a volunteer available to help with taxes.

Chittenango Library: 519 McDonnell St., 687-6331; Hours: Monday and Wednesday, 2 to 8 p.m.; Thursday 10 a.m. to 8 p.m.; Saturday, 10 a.m. to 2 p.m., closed Friday.

Bridgeport Library: 633-2253; Hours: Monday and Wednesday, 2 to 8 p.m.; Tuesday, 10 a.m. to noon and 4 to 8 p.m.; Thursday, 10 a.m. to noon, 2 p.m. to 8 p.m.; Saturday, 10 a.m. to 2 p.m.; closed Friday.



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Faces of Chittenango



As with any community, it is the people who make Chittenango a great place to live...people like Bea Herbert

Village of Chittenango

Municipal Building, Genesee Street; 687-3936; Open 9 a.m. to 4 p.m. weekdays

Mayor: Robert Freunscht, 687-6369

Trustees:

Barbara DeLaney

Allan Laube Mario Busa

E. Joyce Sutphen

Village Clerk and Tax Receiver:

Theresa Vincelette

Assessor: Uses town assessment rolls

Codes Enforcement Officer: Gary Scofield

Meetings: The village board generally meets the third Tuesday of each month at 7:30 p.m. in the village hall on Genesee Street.

Zoning board of appeals:

John Button, chairman

Generally meets the secondTuesday of the month, but varies. 687-6264

Planning board:

Michael Quirk, chairman Meets the second Monday of the month at 7:30 p.m. in the village hall. 687-9006

> Justice: 687-3937 Carlton Chase Bill Jones is alternate.

Court dates: Each Thursday night

Chittenango Volunteer Fire Department:

Wayne Carpenter, chief; emergency number: 687-3131; non-emergency number 687-6424

Chittenango Police Department:

Bob Hicks, chief of police; emergency number: 687-3939; non-emergency num-

ber: 687-3930.

Animal control officer: Harold

Getman, 687-7308

Department of Public Works:

Robert Lamb, superintendent; 687-

7043

Garbage pick-up is by the village

DPW: for a schedule call or stop by the

village hall, 687-3936.

